

May 15, 2003  
Statement from the  
Bureau of Immigration and Customs Enforcement (ICE)

On Monday afternoon, an ICE officer working at his desk in Riverside, California at the Air & Marine Interdiction Coordination Center (AMICC) received an urgent phone call from a concerned Texas Department of Public Safety (DPS) officer.

After clearly identifying himself and his rank, the Texas DPS officer stated: "We got a problem and I hope you can help me out. We had a plane that was supposed to be going from Ardmore, Oklahoma to Georgetown, Texas. It had state representatives in it and we cannot find this plane."

The Texas DPS officer expressed concern that the plane had not arrived at its intended destination, after what was supposed to be an hour and 13 minute flight from Ardmore to Georgetown. He noted again that: "We cannot find this plane." The Texas DPS officer provided the tail number of the missing aircraft to AMICC and asked AMICC to help find it.

From all indications, this request from the Texas DPS was an urgent plea for assistance from a law enforcement agency trying to locate a missing, lost, or possibly crashed aircraft. AMICC routinely responds to requests for assistance from law enforcement agencies. In this case, AMICC responded by making the appropriate telephone calls as described below.

Believing the aircraft may have crashed or be lost, the AMICC made phone calls to the FAA's Fort Worth Center; to the airport authority in Mineral Wells, Texas; and to a fixed base operator in Plainview Texas. During some of these calls, the AMICC officer noted that he was trying to locate a missing/lost plane that may have "government officials" on board.

AMICC was ultimately unable to locate this aircraft. AMICC advised the Texas DPS officer of this result and provided him with a number to call at the FAA in order to initiate lost aircraft procedures.

At no time did AMICC launch or use any Department of Homeland Security aircraft in response to this contact by the Texas DPS.

- **Representative Chuck Hopson's wife was followed yesterday by DPS all the way from Austin to Jacksonville, Texas.**
- **El Paso police entered Representative Joe Picket's house without a warrant, while his 17-year-old daughter was home alone. Luckily, his wife was only a block away and quickly arrived to handle the situation .**
- **Representative Craig Eiland's wife just gave birth to premature twins, who are still in the neonatal unit in the hospital in Galveston. It has already been reported in the Associated Press that police went to the hospital yesterday evening to ask his wife about him. But what hasn't yet been reported is that Texas Rangers again visited his wife at their home, and it was no earlier than 10:30 p.m. last night – after DPS had already determined that the missing Democrats were in Oklahoma.**
- **Representative Dawnna Dukes' brother reported that police showed up at his house this morning, after DPS had already determined that Dukes was in Oklahoma.**
- **Representative Menendez' wife was attending a pre-scheduled Legislative Ladies Luncheon today at the Governor's mansion. She was driving a vehicle with state official license plates. When she left the luncheon to return to her vehicle, it had been vandalized – while parked in front of the Governor's mansion.**
- **Before leaving town, Representative Patrick Rose had parked his car at a friend's house. Early Tuesday morning at 12:30 a.m. – well after law enforcement knew Rose was in Oklahoma – police stopped his friend's vehicle and searched it, looking for Rose. The friend said they had also staked out the house where Rose's car was parked prior to the search.**
- **D.P.S. entered Rep. Naishtat office to search for the representative. The Officer asked for the senior staff member's staff ID, and asked if they were aware of the location of the Representative and the last time of communication with Representative Naishtat. He returned the ID and said "I want you to know that it is a felony to withhold information." When asked what law was broken, the officer responded House Rule, Rule 5, Sec. 8. The officer then said that he was just telling us what he had been told.**



TEXAS HOUSE OF REPRESENTATIVES  
OFFICE OF THE SERGEANT-AT-ARMS

Rod Welsh  
Sergeant-at Arms

May 13, 2003

Colonel Tommy Davis  
Director, Texas Department of Public Safety  
PO Box 4087  
Austin, TX 78733-0001

Dear Colonel Davis:

On behalf of the Texas House of Representatives, thank you for the prompt and thorough assistance in carrying out the call on the house and securing the attendance of absent members. Because the location of the absent members has been identified as outside of Texas, and those members have refused to return, your responsibilities in this regard are at an end.

Again, thank you for the prompt and professional response.

Sincerely,

A handwritten signature in dark ink, appearing to read "RWelsh".

Rod Welsh

Post-It™ brand fax transmittal memo 7671		# of pages ▶ 1
To <i>Chief Elliston</i>	From <i>Major Arnold</i>	
Co.	Co.	
Dept.	Phone #	
Fax #	Fax #	

SENATOR BARRIENTOS 512 463 5949 TO 84245728 P.03/03

**Statement of Pamela McPeters, staff member for Representative Dawnna Dukes:**

"On the 13th of May, a Department of Public Safety Officer came into the Office of State Representative Dawnna Dukes where I am an employee. He stated that he was there to officially arrest State Representative Dawnna Dukes.

"The DPS officer asked if Representative Dukes was in the office. I stated no, but that he was welcome to look in her office. He declined to look in her office and sternly proceeded to tell me I needed to sign a form. I looked at the form which contained several questions. It was clearly not a warrant.

"The officer asked the following questions: if I had been in contact with Representative Dawnna Dukes; if I have a contact number for her; when was the last time I was in contact with her. He wrote my answers on the signed form. He gave me a toll free number to call the next time I speak with Representative Dawnna Dukes.

"I asked to make a photocopy of the signed document on which the officer wrote my answers and I had signed. He stated that "he had been instructed not to let anyone make a copy." I asked if the document is an open record and he replied that I should try to make an open records request. He then left the office. His demeanor was intimidating. After consulting with several other House members' offices, I found that the officers doing similar work had been very friendly and cooperative, and had not forced other staff to sign, but rather asked for their names and wrote in on the forms themselves."

**Statement of Harold Cook, Senate Democratic Caucus consultant:**

"After hearing from Pamela McPeters regarding the above events, I contacted Dawnna Dukes myself and informed Representative Dukes of the incident."

**Texas Constitution, Article 3, Section 10 provides:**

**Two-thirds of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel attendance of absent members, in such manner and under such penalties as each House may provide.**

**House Rule 5, Section 8 – Securing a Quorum, provides that all absentees for whom no sufficient excuse is made may, by order of a majority of those present, be sent for and arrested, wherever they may be found, by the sergeant-at-arms or an officer appointed by the sergeant-at arms for that purpose, and their attendance shall be secured and retained.**

**The sergeant-at-arms, in a letter dated May 12, 2003 to the Director of the Texas Department of Public Safety, has appointed the commissioned officers of the Texas Department of Public Safety (DPS) to secure and retain 53 members of the House of Representatives.**

**Under the terms of House Rule 5, pursuant to the Texas Constitution, the securing of House members for the purpose of bringing them to the floor of the Texas House of Representatives, would be considered an "arrest." The "arrest" or taking into custody for this limited purpose is not for a criminal offense, nor is it covered by the Code of Criminal Procedure. It is a method and manner authorized by the Texas Constitution and the House Rules passed pursuant to it.**

**There is no explicit authority for DPS officers to make arrests of this purpose outside the State of Texas.**

Luna  
Wilson

Giddings  
in  
Bla-

- MANIFEST FOR AIRLINES

- MANIFEST FOR BUS

- Vehicle Information from Corona Police Agency

Mike  
Villarreal  
phone #  
[REDACTED]  
[REDACTED]

Statewide Teletype

Extradition procedures

8:10 Missed

8:45

- Couple people from Dist. offi  
Analysts

1-800- call #



134/231

7:00 a.m. 7A-5P

12:15 12:30 12:45 1:00

7:30 • Thank called ref ST.  
7:45 found in Victoria 17 dead  
8:00 12 Treated, 40 man have  
8:15 absconded - driver located  
8:30 in Houston hospital - sharpshoot  
8:45 Driller Jamman resident  
9:00 Lien - H.R. Rangers, JNS, 2:00  
9:15 Victoria D.A.  
9:30 • Go to Pub residence  
9:45 Saturday - security  
10:00 • Discussed with Marshall  
10:15 The computer lab situations  
10:30 in Houston to clarify. Colonel  
10:45 stance on assignment of personnel  
11:00 • 3 more computers  
11:15 found to analyze ref  
11:30 M.M.  
11:45

5:00 Meeting OL imaging 1:30-2:30  
5:15 (changed to next date)  
5:30  
5:45  
6:00  
6:15

135/230

7:00 a.m. 6:30A-5:00P

7:15 12:15 12:30 12:45 1:00 1:15 1:30 1:45 2:00 2:15 2:30 2:45 3:00 3:15 3:30 3:45 4:00 4:15 4:30 4:45

7:30 • Called Julie to find out  
7:45 about Mr. Lawrence services  
8:00 Colonel and of office - 9AM  
8:15 (Sgt) M.M. served with sup  
8:30  
8:45 • put out teletype ref  
9:00 services  
9:15 • Butch called about  
9:30 incident at JTE/HA  
9:45 dispatch super & possible  
10:00 witnessed Davis & Peterson  
10:15 told Gary S - acting Chief  
10:30 • Gary advised at neg.  
10:45 article ref searching for  
11:00 plane  
11:15 • told  
11:30  
11:45

5:00 ✓ call Colonel about  
5:15 arrangements  
5:30  
5:45  
6:00  
6:15

✓ Log at 1/2 staff - officer memorial

16 May Friday

May 2003  
S M T W T F S  
4 5 6 7 8 9 10  
11 12 13 14 15 16 17  
18 19 20 21 22 23 24  
25 26 27 28 29 30 31

June 2003  
S M T W T F S  
1 2 3 4 5 6 7  
8 9 10 11 12 13 14  
15 16 17 18 19 20 21  
22 23 24 25 26 27 28  
29 30

Saturday May 17

Armed Forces Day (US) 137/228

136/229

7:00 a.m.

7:15

7:30

7:45

8:00

8:15

8:30

8:45

9:00

9:15

9:30

9:45

10:00

10:15

10:30

10:45

11:00

11:15

11:30

11:45

5:00

5:15

5:30

5:45

6:00

6:15

6:30A - (4.24.57P)

4:30

Will Richard came  
bus for briefing ref 12:45  
those members + widow  
stay at command post  
• engaged Gang 5 - act. 1:30  
Chap  
• called bus Keith ref 2:00  
Nella Incident. Return  
out of town

p.m. 12:00

12:15

12:30

12:45

1:00

1:15

1:30

1:45

2:00

2:15

2:30

2:45

3:00

3:15

3:30

3:45

4:00

4:15

4:30

4:45

6:30

6:45

7:00

7:15

7:30

7:45

7:00 a.m.

7:15

7:30

7:45

8:00

8:15

8:30

8:45

9:00

9:15

9:30

9:45

10:00

10:15

10:30

10:45

11:00

11:15

11:30

11:45

day off

8 hrs CTE  
(did not claim Sunday)

Mr. Conaris services

day off

Sunday 138/227 18

AT-A-GLANCE

**Smith, Pamela (OGC)**

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**From:** Arnold, Morris  
**Sent:** Friday, May 23, 2003 9:46 AM  
**To:** Smith, Pamela (OGC)  
**Subject:** FW: Embassy Suites

I am double checking all my records and found these items on my e-mail, so here they are. maa

-----Original Message-----

**From:** Elder, Gov  
**Sent:** Tuesday, May 13, 2003 6:30 PM  
**To:** Arnold, Morris; Chrane, Jack; Campbell, Charles; Franklin, William; Scheer, George  
**Subject:** Embassy Suites

Taken at 11:15 A.M. Tuesday, May 13, 2003.

You may need to use your arrow key to go from left to right...

Gov...



